

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

111/3

RFA No.987 of 2017(O & M)
Date of Decision:20.02.2017

Dharmender

....Appellant(s)

Versus

State of Haryana and others

.....Respondent(s)

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.Sudhir Rana, Advocate for the appellant(s).

ARUN PALLI, J. (ORAL):

CM No.2605-CI of 2017

Application is allowed as prayed for.

CM No.2604-CI of 2017

This is an application for condonation of delay of 2241 days in filing the appeal. All what has been urged by learned counsel for the applicants is that the matter in issue is squarely covered by the judgement dated 28.03.2016, rendered by this Court in **RFA No.2322 of 2011**, titled “Usha Rani and others versus State of Haryana and others”, and other connected matters, vide which, in the appeals arising out of the same acquisition, this Court had enhanced the compensation awarded to the landowners to ₹ 48,57,000/- per acre.

Notice.

On the asking of the Court, Ms.Safia Gupta, AAG Haryana, present in the Court, accepts notice on behalf respondents No.1 and 2 and Mr. Pritam Saini, Advocate, accepts notice on behalf of respondent No.3.

The factual position as set out above, is not disputed by learned counsel for the respondents.

I have heard learned counsel for the parties and perused the record.

In the wake of the decision of the Hon’ble Supreme Court in *Imrat Lal and others v. Land Acquisition Collector and others, 2015(2) RCR (Civil) 437* and *Dhiraj Singh (D) Tr. LRs. v. Haryana State and others, 2015 (2) RCR (Civil) 507*, delay of 2241 days in filing the accompanying

appeal is condoned. However, to balance the equities, for the period of delay, the applicants shall not be entitled to interest on the enhanced compensation.

CM stands disposed of.

CM No.2603-CI of 2017 and RFA No.987 of 2017

For, the learned counsel for the parties are ad idem that the matter in issue is squarely covered by the decision rendered by this court in Usha Rani's case (Supra), the present appeal is disposed of in terms of the said decision. However, the appellants shall not be entitled to interest on the enhanced compensation for the period of delay in filing the appeal i.e.2241 days.

February 20, 2017

sanjiv

(ARUN PALLI)
JUDGE

Whether speaking/reasoned Yes/No.

Whether reportable- Yes/No